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Notice of Allowability	Application No.	Applicant(s)	
	10/718,207	WANG ET AL.	
	Examiner	Art Unit	
	Sung H. Pak	2874	

-- **The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**
All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 6/13/05.
2. ☒ The allowed claim(s) is/are 1-10,12-17,19,20,22 and 23.
3. ☒ The drawings filed on 20 November 2003 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.


Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |


Sung Pak
Patent Examiner
AU 2874

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DETAILED ACTION

Applicants' amendment filed 6/13/2005 has been entered. Claims 1-10, 12-17, 19-20, 22-23 are now pending.

Allowable Subject Matter

Claims 1-10, 12-17, 19-20, 22-23 are allowed.

The following is an examiner's statement of reasons for allowance: Applicants' arguments regarding the patentability of pending claims are convincing. In addition, the pending claims are allowed for the following reasons.

As discussed in the previous office action, optical assemblies for aligning various optical components are well known in the art. Takada (US 6,863,452 B2) and Pham et al (US 2004/0052468 A1), cited in the previous office action, disclose such optical assemblies having meltable materials for permanently retaining alignment positions of optical components. In addition, Nakata (US 6,667,550 B2) also teaches the use of a meltable material (i.e. solder) that permanently fixes optical components in an aligned position. Meltable materials in both Pham and Nakata allow relative movements of optical components when the meltable material is in a melted-state.

However, none of the prior art fairly teaches or suggests such optical assembly comprising an alignment stage that enable relative positioning of a light source and a lens, wherein the alignment stage is supported by a **thermal actuator** that allows thermal actuation. Meltable materials in Nakata and Pham references *may possibly* be construed as a "thermal actuator" since relative positions of various optical elements are adjustable while meltable

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materials are in a melted-state. However, neither Nakata nor Pham teach both thermal actuator **and** meltable material **both present** (as separate elements) in a device as claimed in the instant application. Further more, there is no advantages or teachings in the prior art that would suggests one of ordinary skill in the art to modify the device of Nakata or Pham to have **both** thermal actuator **and** meltable material as claimed in the instant application. For these reasons, as well as the applicants' argument for patentability of pending claims discussed on pages 8-15 of the applicants' response, the application is in condition for allowance.

It is noted that Matta et al (Patent application publication US 2005/0175298A1), assigned to the same assignee and sharing some of the same inventors as the present application, discloses a device similar to that disclosed in the present application. However, the effective filing date of Matta et al. is after the effective filing date of the present application, and it claims an invention having different patentable scope than the present application.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sung H. Pak whose telephone number is (571) 272-2353. The examiner can normally be reached on Monday- Friday, 9AM-5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rodney Bovernick can be reached on (571)272-2344. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Sung H. Pak
Patent Examiner
Art Unit 2874

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